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BY HAND

Your Ref: DCC/HG/TM&C/LON/2211091.1

Our Ref: JHW/T3776

22 June 2007

Dear Sirs

Our client: Poetic Products Limited

Your client: Roger Crane

"In God's Name" and "The Last Confession"

Thank you for your letter of 20 June 2007.

As you are aware from our letter to your client of 15 June 2007, we are instructed by Poetic Products Limited ("PPL"), the owner of copyright in the book "In God's Name" ("IGN"), written by David A. Yallop. As we stated in that letter, PPL asserts that the "The Last Confession" ("TLC") infringes its copyright in IGN in that (with reference to section 16 of the Copyright, Designs and Patents Act 1988):

- (i) TLC is a copy of IGN or of a substantial part of IGN; and/or
- (ii) TLC is an adaptation of IGN or of a substantial part of IGN.

The issuing of copies of TLC to the public and/or its performance on stage constitute, and will constitute, further primary acts of infringement.

This letter is sent pursuant to the Civil Procedure Rules, Practice Direction on Protocols (Part 4). At this stage, we and our client have not completed our investigation and analysis of all instances of copying of IGN in TLC. However, the point has been reached at which the work done so far demonstrates a clear case of actual and/or intended copyright infringement by your client, his publisher and those responsible for the performance of the play. We are therefore writing to you now to set out the material currently available that supports the case on infringement. Further material may be provided subsequently under Part 4 of the Practice Direction or otherwise.



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In instructing us to write to you at this point to set out our client's case, our client also has in mind the fact that the play is apparently due to commence its West End run on Thursday 28 June 2007. Whilst we are aware that performances of the play have been taking place outside London and that such performances will have damaged our client's rights (and have given rise to a right to damages or an account of profits and/or other relief), the performance of TLC in London causes our client the greatest concern, given that the London stage is in reality a stage not just for London, but also the world. Performance of the play in London will cause very substantial damage to our client and its rights in IGN. Our client's rights to seek interim remedies with regard to the proposed London performances of the play are therefore fully reserved.

Whilst there is no need, in the case of your client, to put him on formal notice with regard to the existing and intended infringements of PPL's copyright, you will be aware that breach of copyright is a serious matter. We therefore consider that it is right and proper to set out the case at the earliest point at which sufficient supporting material is available.

The case on infringement

It is not feasible, in the space and time available, to refer to all the relevant legal authorities against which the facts of this case are to be measured. However, you will be familiar with the judgments of the Court of Appeal in Baigent and Leigh v The Random House Group Limited [2007] EWCA Civ 247 and we would draw your attention in particular to the judgment of Mummery LJ.

The relevant issues that we address below are:

- (i) What are the similarities between the alleged infringing work and the original copyright work?
 - (ii) What access did the author of the alleged infringing work have to the original copyright work?
 - (iii) Did the author of the alleged infringing work make some use in his work of material derived by him, directly or indirectly, from the original work? (And if the Defendant contends that no such use was made, what is his explanation for the similarities?)
 - (iv) If use was made of the original copyright work in producing the alleged infringing work, did it amount, in all the circumstances, to "a substantial part" of the original work?
 - (v) Further or alternatively, does the alleged infringing work amount to an adaptation of the original copyright work or any substantial part of it?
- (i) *What are the similarities between the alleged infringing work and the original copyright work?*

Whilst we are mindful of the warning from Mummery LJ to be wary of using loose non-statutory terminology when characterising the nature of copying alleged, it will assist at this stage to indicate some broad categories of copying that is alleged to have occurred:

- (a) There is much wording in LC that is identical or nearly identical to wording in IGN, raising a presumption of copying that we consider will be impossible to rebut, given the nature and extent of its verbatim or "slavish" nature.
- (b) Such "language" copying is, it is alleged, an infringement in itself, but is also strongly indicative of other copying that cumulatively amounts to infringement.
- (c) There is copying of the expression in IGN of character and incident, where verbatim or close language copying has not occurred.
- (d) There is copying of the selection, arrangement, structure and development in IGN of facts, incidents, theories, characters and narrative. For instance, in many instances scenes in LC adopt the setting of scenes in IGN and dramatic direction in LC follows closely description of behaviour in IGN.
- (e) There is copying of the conclusions drawn and of hypotheses postulated in IGN.

To a degree, IGN contains and recounts material of a historic or factual nature, but it is presented through the filter of the author's skill, expression and viewpoint. The author researched the material and in many instances his sources were not publicly available documents, but, for instance, interviews with individuals - some of whom died some years ago.

When recounting words spoken by "characters" in IGN, the author was in many cases reliant not on first hand accounts from the people concerned of what they recollected saying, but on second hand or more distant accounts of what had been said. In the Preface to the first edition of IGN, the author explained something of the years of intensive research that had been required. In its last paragraph he explained that the dialogue in the book is "reconstructed". That reconstruction inevitably involved the exercise of his skill and judgment.

A comparison between the texts of Act One of LC and that of IGN has been undertaken pursuant to Part 4 of the Practice Direction. Work on that has not been completed, but we are able to enclose a draft document that sets out the material from IGN and from LC that currently appears to be relevant for the purpose of such comparison. Two versions of this are enclosed. They are identical in terms of text, but one bears coloured highlighting to assist the language comparison, in particular, as explained in the notes at the beginning of the document. Work has also been done on comparing Act Two of LC with IGN, but we are not yet in a position to provide you with a draft of the document setting out the comparative passages.

- (ii) *What access did the author of the alleged infringing work have to the original copyright work? and*
- (iii) *Did the author of the alleged infringing work make some use in his work of material derived by him, directly or indirectly, from the original work?*

We are satisfied from what has been stated in a "podcast" of the Chichester Festival Theatre and in a Radio 4 "Front Row" broadcast, that your client had a copy of IGN

and used it for the purpose of writing LC. We will refer to transcripts of those items if necessary. The extensive copying and its nature raises what we consider to be an irrebuttable inference that he used, in LC, material that he derived from IGN.

We also refer to an article in the Evening Standard of 19 June 2007, which reported on an interview of David Suchet by Fiona Maddocks. In that article, it is stated:

The Last Confession is based on David Yallop's book In God's Name, which has already sold more than six million copies (and had its central tenet refuted by British journalist John Cornwell). Yallop argues that several cardinals – such as the shady Vatican banker Cardinal Marcinkus, a character in the play – stood to lose everything by John Paul's appointment.

It appears that that statement is likely to have emanated from David Suchet, whom, later in the article, is quoted as saying:

"I first got involved with the play some five years ago, and spent some time working on the script with Robert (sic) Crane. Then nothing came of it. Suddenly David Jones came aboard ..."

It seems likely, as David Suchet asserts that he worked on the script, that a statement from him that LC is based on IGN is authoritative.

We would be grateful if you would arrange, pursuant to Part 4 of the Practice Direction, for the copy or copies of IGN that your client used for the purpose of writing LC be produced to us for inspection and copying.

- (iv) *If use was made of the original copyright work in producing the alleged infringing work, did it amount, in all the circumstances, to "a substantial part" of the original work?*
- (v) *Further or alternatively, does the alleged infringing work amount to an adaptation of the original copyright work or any substantial part of it?*

We do not need to set out here the well known law as to what constitutes a substantial part and the approach to be taken in deciding the point. It is a qualitative rather than quantitative exercise and one essentially of impression.

We are in no doubt that a substantial part of IGN has been copied in LC. The extent of copying, both verbatim and otherwise, is an indication of this. The exercise involves a consideration of the copied material in relation to IGN. We consider that the verbatim and near verbatim copying itself amounts to a substantial part of IGN. To that is added the other forms of copying, as described above.

We also consider that the extent and nature of the copying results in LC constituting an adaptation of IGN or a substantial part of IGN. The enclosed colour highlighted comparison document is relevant to reaching that conclusion.

Hexalls LLP

Remedies

We have indicated above that our client has claims for damages or an account of profits in respect of infringements of its copyright that have already occurred. We have also indicated that our client reserves its right to apply for interim relief in respect of future advertised performances of the play.

We await hearing from you with your response under Part 4 of the Practice Direction.

We will be writing in similar terms to others involved in the publication and/or performance of LC.

Yours faithfully



HEXTALLS LLP

DRAFT

COMPARISON BETWEEN "THE LAST CONFESSION" ("LC"), ACT 1,
AND "IN GOD'S NAME" ("IGN")

Notes:

- The Last Confession will be referred to as LC. In God's Name will be referred to as IGN. The Text from The Last Confession is in italics. The Text from In God's name is in standard print. Numbers are page numbers.
- This is a draft document. There are likely to be instances of copying that have not yet been noted. The right to amend and add to this document is therefore fully reserved and it is only made available at this date and stage inter alia to seek to comply, at an early stage, with the requirements of paragraph 4.1 of the Civil Procedure Rules Practice Direction on Protocols.
- In one version of this document, colour highlighting is used to assist in demonstrating instances of language copying. This should not be taken to be a final or determinative statement of the extent of language or other copying which Poetic Products Limited alleges as constituting infringement of its copyright in IGN. Language copying itself amounts to breach of copyright, but also indicates other forms of copying that amount to breach of copyright. The colour coding is as follows:

■ Identical wording in LC and IGN.

GREEN Similar wording in LC and IGN, including synonyms and different tenses and the like.

YELLOW: Expression of ideas and themes in IGN which have been copied in LC, without there necessarily being identical or similar language used. It is emphasised that this is not intended to be a "catch-all" of all copying that is not identified in the Red or Green categories. Accordingly, further and different instances of copying may be alleged (including those identified in footnotes), including copying of selection and organisation of material and copying of structure and themes of IGN.

- In the programme for the current production of The Last Confession there is one full page photograph

showing Luciani surrounded by members of the Curia as he walks in the Vatican. The photo can be found in all editions of IGN. In the latest English language edition, it is one of the group between pages 120-121.

LC11

BENELLI: Albino, it's good to see you. I enjoyed your book.

LUCIANI: You did? Thank you. It was just some letters.

BENELLI: Yes (Smiling.) but to Mark Twain, Jules Verne...very illustrious. What brings you to Rome?

IGN48/49.

Eventually a collection of the letters was published in book form, *Illustrissimi* - the most illustrious ones.

The book is a delight. Apart from providing an invaluable insight into the mind of *Albino Luciani*, each letter comments on aspects of modern life..... Chesterton and Walter Scott receive a letter from the Patriarch, as do Goethe, Alessandro Manzoni, Marlowe and many others. There is even one addressed to Christ which begins in typical Luciani fashion.

Dear Jesus,

I have been criticized. 'He's a Bishop, he's a Cardinal,' people have said, 'he's been writing letters to all kinds of people: *to Mark Twain*, to Péguy, to Casella, to Penelope, to Dickens, to Marlowe, to Goldoni and heaven knows how many others. And not a line to Jesus Christ!

IGN148

He quoted *Mark Twain*, *Jules Verne* and the Italian poet Trilussa. He talked of Pinocchio. Having already compared the soul to a car he now drew an analogy.

[Note from David Yallop: The extract above indicates just how detailed is the copying from my book to the play. I was puzzled to read the reference to Jules Verne in

Benelli's speech, as I made no reference to Verne on page 48, but then I discovered it one hundred pages later!]

LC page 12.

Luciani: My parishioners wanted me to have my *ovata barca* and gondolier. Can you imagine a private boat just waiting for me?

Benelli: I've seen your car. You could do with a boat... What do you do when you need one?

Luciani: Call the *carabinieri*. They lend me one of these.

Benelli: And if there is a fire?

Luciani: (smiling.) Sometimes even God has to wait.....

IGN25

It was customary for the Patriarch of Venice to have his *ovata barca*. Luciani had neither the personal wealth nor the inclination for what seemed to him an unnecessary extravagance. When he wanted to move through the canals he and Father Mario would catch a water bus. If it was an urgent appointment Luciani would telephone the local *carabinieri*, the *carabinieri* or the finance police and beg the loan of one of their boats. Eventually the three organizations worked out a roster to oblige the unusual priest.

LC Page 12.

Luciani: When the Pope sent me to Venice the churches were empty but the streets were filled with prostitutes, with the mentally ill, with the handicapped. The City had shut its doors. I opened mine. Many *carabinieri* objected to giving

LC 13

continually the prostitutes and handicapped. These creatures do not
 and so on, they said. So after mass I asked a woman who was
 afflicted with a terrible and disease if she knew what she had
 received. She said, 'I will not abandon them.'

IGN 27

The offices of the Patriarch are frequently filled with
 ex-prisoners, alcoholics, poor people, abandoned people,
 tramps, women who could no longer work as prostitutes.
 One such unfortunate still wears the pyjamas Luciani gave
 him and writes 'thank you' letters to a man no longer
 here to read them.....

IGN27/28.

One of the injustices that Luciani continuously worked to
 eliminate in Venice concerned a widely prevalent attitude
 towards the subnormal and handicapped. Not only the
 mayor and city officials showed indifference, but Luciani
 found the same prejudice among some of his parish
 priests. When he went to give First Communion to a large
 group of handicapped people at St Pius X in Marghera he
 had to cope with a delegation of protesting priests who
 argued that he should not do such a thing. 'What
 is wrong with them?' he asked. He instructed the group
 that he was personally ordering them to attend the First
 Communion. When the Mass he picked up a young girl
 suffering from spina bifida. The congregation was
 completely silent.

'Do you know whom you have baptized today?' he asked the
 little girl.

Ignazio

'And are you pleased?'

'Very.'

Luciani turned slowly and looked at the group of
 protesting priests.

'You see, they are better than we adults.'

LC 12

LUCIANI: I need help. Bishop Marcinkus is selling the Catholic Bank of Venice.

BENELLI: Yes, I know. For less than it's worth.....

LC 14

BENELLI: [to VILLOT] He is selling it for far less than it is worth. Why?

VILLOT: (Dismissively.) He's an American...from Chicago....

BENELLI: (Cries) to be precise. The home of the gangster, Al Capone.

LC 16

MARCINKUS: (Cries) has the complete confidence of myself ... and of course His Holiness.

LC 17

MARCINKUS: (Cries) accountable only to the Pope and to God.

LC 18

PAUL: (To Bennelli.) It seems to be necessary. Is Luciani upset ?

BENELLI: Yes.

LC 19

PAUL: He is a good man. He understands that sometimes it is necessary to sacrifice...

LC 19

PAUL: (to BENELLI) Bishop Marcinkus has our complete confidence...In financial matters.

The above extracts from LC 12 to LC 19 should be considered against the following.

IGN28/32

Because of the reluctance of the City Council to contribute to Special Work Centres, Luciani was obliged initially to rely on diocesan funds and the bank known as 'the priests' bank', [REDACTED]. [REDACTED]. Soon after he had been made a Cardinal he became aware that it was no longer the priests' bank. Joining the regular crowd in his outer office who required help, he now found bishops, monsignors and priests. In the past the bank had always loaned money to the clergy at low interest rates. It was a bank founded for the diocese which had previously contributed to the vital work for that section of society which Luciani described in the following words:

'They have no political weight. They cannot be counted on for votes. For those reasons we must show our sense of honour as men and Christians towards these handicapped people.'

By mid-1972 the low interest loans had stopped. The Venetian clergy were advised that in future they would have to pay the full rate of interest no matter how laudable the work. The priests complained to their bishops. The bishops made a number of discreet enquiries.

Since 1946 the Istituto per le Opere di Religione, the IOR, usually referred to as the Vatican Bank, had held a majority share in [REDACTED]. The various dioceses in the Veneto region also had small shareholdings in the bank amounting to less than 5 per cent of the bank's share.

In the normal commercial world this would make the minority shareholder vulnerable, but this was not the normal commercial world. A clear understanding existed between Venice and the Vatican that the IOR's vast shareholding (by 1972 it was 51 per cent) was an insurance against any potential takeover by a third party. Despite the very low interest rates charged to the Veneto clergy the bank was one of the wealthiest in the country. Where the priest banks the parishioner will follow. (A significant amount of the bank's wealth was derived from real estate holdings in Northern Italy.) This happy arrangement had now been abruptly terminated. The bank that the bishops believed they owned, at least morally, had been sold over their heads without reference to the Patriarch or any person in the Veneto region. The man who had done the [REDACTED] was Vatican Bank President,

Paul [redacted]. The man who had done the buying was Roberto [redacted], of Banco Ambrosiano, Milan.

The bishops of the region descended en masse on the Patriarch's office in St Mark's Square. He listened quietly as they outlined what had happened. They told him how in the past when they had wished to raise capital they had turned to the Vatican Bank who had loaned money, holding their shares in [redacted] as security. Now these shares, along with a large stake independently acquired by the Vatican Bank, had been sold at a huge profit to [redacted].

The enraged bishops pointed out to Luciani that had they been given the opportunity they could have raised the necessary money to repay the Vatican Bank and thereby reacquire their shares. What was more pertinent in their eyes was the appalling breach of trust perpetrated by [redacted], acting on behalf of the Vatican that claimed to be the moral leader in the world; he had at the very least displayed a total lack of morals. The fact that he had kept the entire profit on the transaction for the Vatican Bank may also have caused some of their anger.

The bishops urged [redacted] to go directly to Rome. They wanted Papal intervention. If that intervention took the form of firing Paul [redacted] it was clear that in the Veneto region at least, not many tears would be shed. Luciani calmly weighed the problem. Ever a prudent man, he considered he needed more facts before laying such a problem before Pope Paul.

[redacted] began to probe quietly. He learned a great deal about Roberto [redacted] and also about a man named Michele Sindona. What he learned appalled him. It also alerted him to the dangers of complaining directly to the Pope. Based on the information he had obtained it was clear that [redacted] and Sindona were highly favoured sons of the Church and were held in great esteem by Paul VI. The man Albino [redacted] turned to was one who had become a close friend over the previous five years, Under-Secretary of State Monsignor Giovanni [redacted].

Though Benelli was number two in the Secretariat of State under Cardinal Villot, to all intents and purposes he ran the department. And as Pope Paul's troubleshooter Benelli not only knew where all the bodies were buried - he was responsible for the placement of quite a number of them Benelli listened while the Patriarch of Venice told his story. When he had finished the Monsignor gave his

Eminence another cup of coffee as Luciani uttered a qualification.

'I have not of course seen any documentary evidence.'

'I have,' responded Benelli. [REDACTED] is now the majority shareholder in the [REDACTED]. [REDACTED] sold him 37 per cent on March 30th.'

Benelli was a man who enjoyed reeling out facts and figures. He told the wide-eyed Luciani that [REDACTED] had paid 27 billion lire (approximately \$45 million) to [REDACTED] how [REDACTED] was the result of a scheme hatched jointly by [REDACTED], Sindona and [REDACTED], of a company called Pacchetti which had been purchased by Calvi from Sindona after its price had been grossly and criminally inflated on the Milan stock exchange, of how [REDACTED] had assisted [REDACTED] in masking the nature of this and other operations from the eyes of Bank of Italy officials by putting the Vatican bank facilities at the disposal of [REDACTED] and Sindona.

Luciani was bewildered. 'What does all this mean?' he asked.

'Tax evasion, illegal movement of shares. I also believe that [REDACTED] sold the shares in your Venice bank at a deliberately low price and Calvi paid the balance, a separate 31 billion lire deal on Credito Varesino.'

Luciani became angry. 'What has all this to do with the Church of the poor? In the name of God . . .'

Benelli held up a hand to silence him. 'No, Albino, in the name of profit.'

'Does the Holy Father know these things?'

Benelli nodded.

'So?'

'So you must remember who put Paul [REDACTED] in charge of our bank.'

'The Holy Father.'

'Precisely. And I must confess I fully approved. I've had cause to regret that many times.'

'Then what are we to do? What am I to tell my priests and bishops?'

'You must tell them to be patient, to wait. Eventually Marcinkus will over-reach himself. His Achilles heel is his greed for Papal praise.'

'But what does he want to do with all this money?'

'He wants to make more money.'

'For what purpose?'

'To make more money.'

And in the meantime should my priests get out begging bowls and tramp through the Veneto?'

'In the meantime you must counsel patience. I know you have it. Teach it to your priests. I'm having to apply it.'

Albino Luciani returned to Venice and called his fellow bishops to his office. He told them some of what had transpired in Rome, enough to make it abundantly clear that [REDACTED] was now for ever lost to the diocese. Later some of them talked about it. They concluded that this would never have happened in the days of Cardinal Urbani. They felt that [REDACTED] innate [REDACTED] had proved a useless weapon against the IOR. Most of them, including Luciani, sold what remaining shares they held in the bank to express their disapproval of the Vatican's conduct. In Milan Roberto Calvi was gratified to note that his brokers had acquired on his behalf another small piece of the priests' bank in Venice.

Albino Luciani and many others in Venice closed their accounts at the Banca Cattolica. For the Patriarch of Venice to move the official diocesan accounts to the small Banco San Marco was an extraordinary step. He confided to one colleague, 'Calvi's money is tainted. The man is tainted. After what I have learned of Roberto Calvi I would not leave the accounts in his bank if the loans they granted to the diocese were totally free of interest.'

Luciani then attempted to get the directors of Banca Cattolica to change the name of the bank. He insisted that for the word Catholic to appear in their title was an outrage and a libel on all Catholics.

In Rome Pope Paul VI was made fully aware of the added burden that had been placed on the Veneto region by the sale of [REDACTED]. Giovanni [REDACTED] urged the Holy Father to intervene but by then the sale to [REDACTED] was already a reality. When [REDACTED] argued for the removal of [REDACTED] [REDACTED] responded with an agonized helpless shrug of the shoulders but the fact that Luciani had not led an open rebellion left a deep impression on [REDACTED]. At the slightest opportunity he would proclaim the goodness of the man he had appointed Patriarch of Venice. In an audience with Venetian priest Mario Ferrarese he declared three times, 'Tell the priests of Venice that they should love their Patriarch because [REDACTED], holy, wise, learned [REDACTED].'

In September 1972, Pope Paul stayed at the Patriarch's Palace on his way to a Eucharistic Congress in Udine. In a packed St Mark's Square the Pope removed his stole and placed it over the shoulders of a blushing Luciani. The crowd went wild. Paul was not a man to make insignificant public gestures.

IGN 32

When the two men were being served coffee in the Palace he made a more private one. He indicated to Luciani that 'the little local difficulty over finance' had reached his ears. He had also heard that Luciani was trying to raise money for the creation of a work centre for the sub-normal at Marghera. He told Luciani how much he approved of such work and said that he would like to make a personal donation. Between Italians, that most voluble of races, much is often unsaid but understood.

IGN 37.

While the previous day's meeting had been largely of an informal nature, this confrontation with Marcinkus was an interrogation. On the evidence that the US Department of Justice had carefully and painstakingly acquired over more than two years, Lynch and Aronwald and FBI agents Biamonte and Tammara had before them the man who had master-minded one of the world's greatest swindles. If the evidence was correct then the [REDACTED] suburb of [REDACTED]'s claim for world notoriety would in future be shared by [REDACTED] and Paul [REDACTED]. But as Mrs Beeton observed, 'first catch your hare'.

IGN291

[redacted] brought many facets to his work in the Vatican Bank; not least were elements of his early childhood in [redacted] [redacted] [redacted]. 'How are your [redacted] friends in [redacted], Paul?' was a running joke in the early 1970s. It was heard less after Sindona's trial. It is not heard at all after the Calvi débâcle.

IGN39

the things that makes my position completely unique is that [redacted] answerable [redacted] as to how I handle those financial affairs.

IGN174

[redacted] answerable to no one except Rome [redacted]. Events were to prove that Cody declined to be answerable to Rome. That left God.

IGN 290

In March 1982, Archbishop [redacted] granted a rare interview. It was given to the Italian weekly Panorama. His comments about Roberto Calvi are particularly³ illuminating, coming as they did just eight months after Calvi had been fined 13.7 million dollars and sentenced to four years' imprisonment, and only seven months after the Vatican and Marcinkus discovered (if we believe the Vatican version) that Calvi had stolen over a billion dollars and left the Vatican to pay the bill.

[redacted] merits our trust. This I have no reason to doubt. We have no intention of ceding the Banco Ambrosiano shares in our possession: and furthermore, we have other investments in this group, for example in the Banca Cattolica, which are going very well.

LC19

PAUL: (To BENELLI) We have been discussing the status of the new Code of Church Law with Cardinal [redacted]. The ever-changing, never-finished Church Law. (To FELICI.) It is a canon of law, not the Sistine Chapel. When will you be done?

¹ Attributed to Marcinkus in IGN. Dialogue of Marcinkus in LC.

² Attributed to Cody in IGN. Dialogue of Marcinkus in LC.

³

FELICI: These things take time.

BENELLI: Ten years !

IGN 165

Luciani laughed. He liked Pericle [REDACTED]. Curial to his finger-tips, traditional in his thinking, he was nevertheless a witty, sophisticated man of considerable culture. 'Eminence, the revision of Canon Law that has preoccupied so much of your time, did the Holy Father envisage a change in the Church's position on Freemasonry?'

LC21

[REDACTED]: Is he [Pope Paul] going to resign when he turns eighty? Of course not. How dare he decree that cardinals over [REDACTED] cannot vote at the next [REDACTED] !.....

IGN 53

Another of the late Pope's rules quickly became the subject of furious debate during the early General Congregations. Paul had specifically excluded from the [REDACTED] that would elect his successor all [REDACTED] the age of [REDACTED]. [REDACTED] mounted an angry attack on this rule⁴. Supported by the 85-year-old Cardinal Confalonieri and the other over-eighties, they attempted to reverse it. Paul had fought many battles with this group. In death he won the last one. The cardinals voted to adhere to the rules. The General Congregation continued, on one occasion discussing for over an hour whether ballot papers should be folded once or twice.

LC21

FELICI: [talking of Benelli] I have heard that privately he disagrees with the Pope's willingness to negotiate with the communists.....

LC Page 22 continues this theme.

⁴ As in other instances, IGN here sets a scene that is adopted in LC.

IGN 199

Luciani and Villot are discussing the various changes that Luciani is about to make. Villot reacts to the fact that Benelli a man he has had a difficult relationship with has been chosen by Luciani to replace him as Secretary of State.

Villot studied the notes he had made of the proposed changes. Albino Luciani, placing his own handwritten notes to one side, poured out more tea for both of them. Villot said, 'I thought you were considering Casaroli as my replacement?'

'I did, for a considerable time. I think much of his work is brilliant but I share Giovanni [REDACTED]'s reservations about some of the policy initiatives that have been made in the recent past towards Eastern Europe.'

NOTE: Please also see LC page 25 for further references to this aspect all deriving, it is suggested from the essence of the above.

LC23

FELICI: Pope John and the Second Vatican Council said they wanted to open the windows of the Church for a dialogue with the world.

IGN 145.

When Albino Luciani threw open the windows of the Papal Apartments within twenty-four hours of his election, the gesture personified his entire Papacy. Fresh air and sunlight rushed into a Roman Catholic Church which had grown increasingly dark and sombre during the last years of Paul VI.

LC 24

FELICI: Our Hamlet Pope.

IGN 19.

Many, including his predecessor John XXIII, have compared [redacted] Paul VI with the doubt-racked [redacted]. Every [redacted] has need of an Elsinore Castle in which to brood. Eventually, the Pope decided that he and he alone would make the final decision. He summoned Monsignor Agostino Casaroli and advised him that the problem of birth control would be removed from the competence of the Holy Office. Then he retired to Castel Gandolfo to work upon the encyclical.

LC25

VILLOT: Which brings us to the last item: [redacted] At our last meeting you agreed to consider the idea of a transfer. I have drafted a list of possible positions.

[Note there then follows several pages where Villot and Baggio urge the Pope to post Benelli out of Rome, which eventually culminates with Pope Paul and Benelli on stage alone and Paul persuading him to leave Rome.]

LC29

PAUL: Today we will announce that we have appointed you [redacted] and assigned you to [redacted]. Will you go?

BENELLI: Yes.

IGN58

Giovanni [redacted] had been manoeuvred out of Rome in 1977. His continuing efforts to have Marcinkus removed from the Vatican Bank had resulted in a cabal, which included in its members Marcinkus and Paul's secretary Monsignor Macchi, having [redacted] removed from the Secretariat of State's office. He had been made a [redacted] and been given [redacted] by way of compensation.

LC 27.

PAUL: The newspapers write about us in the past tense. It is strange to read about ourselves as if we were already dead. We have accomplished so little.

IGN51

Indeed the speculation had begun even before Pope Paul's death. Peter Hebblethwaite, an ex-Jesuit priest converted to Vatican-watching, had asked in the Spectator on July 29th, 'Who is running for Pope?' He picked out three form horses to follow - Pignedoli, Baggio and Pironio. Whether Pope Paul had read Hebblethwaite's comment that he 'cannot be expected to live very much longer' in his last few days, is not known.

Despite the pomp and ceremony, the funeral of the Pontiff was a curiously unemotional affair. It was as if his Papacy had ended long ago. After Humanae Vitae there had been no more Papal encyclicals and, apart from his courageous comments when his close friend, the former Prime Minister Aldo Moro, had been first kidnapped then murdered, there had been little from Paul over the past decade to inspire an outpouring of grief at his death: a man to respect, not one to love. There were many long and learned articles analyzing his Papacy in depth but if he is remembered at all by posterity it will be as the man who banned the Pill. It may be a cruel epitaph, an unfair encapsulation of a sometimes brilliant and often tortured mind, but what transpires in the marital bed is of more import to ordinary people than the fact that Paul flew in many aeroplanes, went to many countries, waved at many people and suffered agonies of mind.

LC31

SUENENS: You should have stayed in Rome after the funeral. You missed all the fun.

Hebblethwaite accomplished more, Cardinal Suenens, in Florence using the telephone.

IGN 58.

In Florence * Giovanni *Beaumont*, wrongly thought by many observers to be running for the Papacy, received the Latin American specification. He smiled as he considered the qualities the Latin

Americans were seeking. It read like an accurate biography of exactly the man Benelli considered should be Pope. Picking up [REDACTED], he dialled a number outside Florence, and moments later was engaged in animated conversation with the Belgian [REDACTED]

LC31.

SUENENS: But it couldn't have been nearly as interesting.

Every night [REDACTED] has a different group of cardinals over to [REDACTED]. His thinking may be lightweight but his wine cellar is outstanding and he has one of the best chefs in Rome.

BENELLI: I don't think even Pignedoli can cook his way to the Papacy.

IGN54.

Pignedoli had been a close friend of the late Pope. Some Italian commentators cruelly observed he was the only friend Paul had. Certainly he appeared to be the only one to address him by the intimate 'Don Battista'. In support of Pignedoli Cardinal Rossi of Brazil was at pains to remind the other cardinals of the tradition that Popes indicated who their successor should be and insisted that Pignedoli was 'Paul's best loved son'. Pignedoli was one of the most progressive of the Curial cardinals and hence disliked by most of the other Curial cardinals. He was cultured, well-travelled and, perhaps most important for his candidature, he had influenced either directly or indirectly the appointments of at least 28 of his brother cardinals.

IGN54

Attending afternoon tea on August 17th, Pignedoli declared to a gathering of Italian cardinals which went right across the spectrum of right, centre and left, that in spite of all the urgings and promptings he did not feel that he was suited for the Papacy. He suggested to his colleagues that they should vote instead for Cardinal Gantin. It was an imaginative suggestion.

Gantin, the black Cardinal of Benin, was 56 years of age. There was therefore very little chance of his election because of his relative youth. The ideal age was felt to be late 60s. Pignedoli was 68. Further, Gantin was black. Racialism is not confined to one side of the Tiber.

Putting forward Gantin's name could well attract votes for Pignedoli from the Third World whose cardinals held a vital 35 votes.

IGN58,

In Rome [REDACTED] continued to give lavish [REDACTED] parties, Curial cardinals continued to lobby discreetly on behalf of Siri and the Vatican Press Office maintained its policy of giving the world's commentators the minimum of co-operation, as the date of what Peter Nichols of The Times called 'The World's Most Secret Ballot' drew nearer.

LC31:

SUENENS: [REDACTED] have published odds on a number of candidates. [REDACTED] is the [REDACTED], so perhaps they don't share your views about his chef. Siri is second, Felici is third-he claims he supports Siri - and you⁵ are listed fourth [REDACTED].

BENELLI: And [REDACTED] ?

SUENENS: Who ?

BENELLI: [REDACTED] - Patriarch of Venice.

SUENENS: Not listed, of course.

IGN51.

Within twenty-four hours of Paul's death, with his body unburied and his Papacy unevaluated, Ladbrokes, [REDACTED], had opened a book on the Papal election. The Catholic Herald, while carrying a front-page article criticizing the action, took care to let its readers know the current odds.

Cardinal [REDACTED] was [REDACTED] at 5-2. Cardinals Baggio and Poletti were joint second favourites at 7-2, followed by Cardinal Benelli [REDACTED]. Also strongly fancied was Cardinal Willebrands at 8-1. Cardinal Koenig was quoted at 16-1. England's Cardinal Hume was 25-1. These surprisingly long odds on the Englishman could perhaps be

⁵ I.e. Benelli

attributed to a statement Hume had made to the effect that he did not have the qualities for the job. Longest odds were quoted for Cardinal Suenens. Albino [redacted] did not appear in the list of Papal runners.

LC32

SUENENS: ... And then there is **CREEP**....

BENELLI: What is **creep**?

SUENENS: [redacted] possibly liberalized, I suppose.

BENELLI: I assume it doesn't include any cardinals.

SUENENS: Correct ... Listen to their criteria. (SUENENS takes out a piece of paper and reads from it). *Help wanted. A hopeful, holy man who can...* (Looking up) *That's the heading. (Continuing his reading)* *... must have work, good social income, good in common with...* *... must be proven, clearly organization. A college of Cardinals...* *It goes on: (Back to paper)* *... hope not for all Catholics but for all people. It must totally lose from the slightest point of financial accounting and dealing.*

IGN58/59.

The Latin American cardinals were not the only group to formulate a document that amounted to a job description. A week earlier, a group of Catholics calling themselves **CREP** (**Committee for the Responsible Election of the Pope**) held a Press conference in the Columbus Hotel, Rome. The brave man chosen to field questions from over 400 reporters was Father Andrew Greeley. Not himself a member of CREP, Greeley and a group of theologians had drawn up the job description on behalf of the Committee.

There were to be many critics of the document. Much of the criticism was banal, much was dismissive. Undoubtedly the signatories appeared to be looking for an extraordinary man. It is equally without doubt that the document showed a deep love for the Roman Catholic Church. These men cared desperately about the nature and quality of the new Papacy. To dismiss men of the quality of Hans Kung, Yves Congar and Edward Schillebeeck requires a mentality bordering on spiritual sterility.

Professor Kung, for example, is in the view of many who are qualified to judge, the most brilliant Catholic theologian alive today. All the signatories of the press release have impressive records.

2000年12月29日 星期五

[illegible][illegible]

Thus began the job description. It went on to describe the man they would like chosen by the secret Conclave. It did not matter, they stated, if he was Curial or non-Curial; Italian or non-Italian; whether he was of the First, Second or Third World. It did not matter if he was an intellectual or non-intellectual, whether he was a diplomat or pastor, progressive or moderate, an efficient administrator or lacking in administrative experience . . . What was needed, the theologians said, at this present critical time in history was 'a man of holiness, a man of hope, a man of joy. A holy man who can smile. [REDACTED]

organizational
It went on to list other vital
essentials. Reading the qualifications needed and
comparing it with the list of leading candidates, the
overriding impression is one of deep, urgent need
bordering on desperation.

LC32.

BENELLI: *They have described Luciani.*

SUENENS: You can't be serious ? (Pause) When I supported Paul at the last conclave at least I knew he wanted to be Pope. The Press asked Lushin yesterday. He told them, 'You can't make gnocchi out of dough.'

IGN69

"You can't make goodness out of this dough," Cardinal Had remarked to several well-wishers before the Conclave. It now appeared that a significant number of his fellow cardinals disagreed with this self-evaluation.

LC33

GANTIN: (To BENELLI) They asked me to come and see you. (Pause) [REDACTED] met recently with [REDACTED]. He told [REDACTED] that if he becomes Pope he will keep him in charge [REDACTED].

IGN 55.

In a curious manoeuvre to assist his own candidature, [REDACTED] contacted Paul [REDACTED] and assured him that he would be confirmed in his post as Head [REDACTED] if Baggio were elected. Bishop Marcinkus, unlike the cardinals who had been dispossessed by the late Pope's rules, was still running the Bank. There was no public indication that he would not continue to do so. The gesture by Baggio mystified Italian observers. If they had been able to persuade any of the cardinals present during the private General Congregations to talk, the move by Baggio would have taken on a deeper significance.

LC33.

GANTIN: In [REDACTED] everything is confidential and nothing is secret.

IGN Preface xvii

Within [REDACTED] there is no such thing as a private audience that remains completely private

LC34

GANTIN: What we need is a Christ to drive the money-lenders from [REDACTED]

IGN 303

And Jesus went into [REDACTED] of God, and cast out all them that sold and bought in the temple, and overthrew [REDACTED]